



CrI.O.P.No.18710 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.18710 of 2023

M.Murugan

...Petitioners

vs.

1.State rep by
The Inspector of Police,
Marakanam Police Station,
Villupuram District.

2.Mathiazhagan

...Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and FIR pertaining to Crime No.487 of 2014 dated 27.09.2014 on the file of respondent police and quash the same.

For Petitioners : Mr.P.Chandrasekaran

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor for R1



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ORDER

WEB COPY This criminal original petition has been filed to quash the FIR in Crime No.487 of 2014 pending investigation before the first respondent

2. The case of the prosecution is that on 27.09.2014 at about 05:15 a.m., the petitioner is said to have driven a bus in a rash and negligent manner and had dashed the person, who was riding a cycle. As a result, the deceased, who was riding the cycle was thrown out from the cycle and died on the spot. Hence, a FIR came to be registered in Crime No.487 of 2014 for offence under Section 279 and 304A of IPC.

3. Heard the learned counsel for the petitioner and the respondent and also perused the materials available on record.

4. The learned Additional Public Prosecutor submitted that no final report has been filed till date. The offence under Section 279 of IPC is punishable for maximum sentence of 6 months and offence under Section 304A of IPC is punishable for maximum sentence of 2 years and no final report has been filed for the last 9 years. The investigation ought to have been completed and the final report must have been filed within a period of 3 years, failing which there



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is a bar for taking cognizance of the final report under Section 468(2)(c) of CrPC. In view of the same, even if the final report is filed today, there will be a bar in taking cognizance of the final report.

5. Considering the facts and the circumstances of the case, nothing will come out of the case at this length of time and hence, it is not a fit case to exercise the jurisdiction under Section 473 of IPC.

6. In the light of the above discussion, the FIR in Crime No.487 of 2014 is quashed. Accordingly, this criminal original petition is allowed.

21.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
nsa



WEB COPY

To

1.The Inspector of Police,
A.Pallipatti Police Station,
Dharmapuri District.
(Crime No.58/2023)

2.The Public Prosecutor,
Madras High Court,
Chennai 600 104..



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N. ANAND VENKATESH, J.

nsa

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